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**Examiner:** Anh Vu. H. Ly **Group:** 2667  
**Date:** October 26, 2004  
**Client Code:** 2390  
**Facsimile No.:** 703-872-9306  
**From:** James M. Smith, Esq.  
**Subject: Paper:** Notice of Appeal, with two month Extension of Time  
**Docket No.:** 2390.1011-000  
**Applicants:** William J. Dally, *et al*  
**Serial No.:** 09/316,699  
**Filing Date:** May 21, 1999

Number of pages including this cover sheet: 3

Please confirm receipt of facsimile: Yes X No     

**Comments:**

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JMS/jat  
August 25, 2004

OCT 26 2004

NOTICE OF APPEAL FROM THE EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCESApplicants: William J. Dally, Philip P. Carvey, P. Allen King, William F. Mann and  
Larry R. Dennison

Application No.: 09/316,699

Group: 2667

Filed: May 21, 1999

Examiner: Anh Vu H. Ly

Confirmation No.: 8189

For: FABRIC ROUTER WITH FLIT CACHING

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on	
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Date	Signature
<i>Jennifer A. Tardiff</i>	
Typed or printed name of person signing certificate	

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated May 26, 2004 of the Examiner finally rejecting claims 1-28 and 30-56. The item(s) checked below are appropriate:

- ☒ Applicant hereby petitions to extend the time for filing a Notice of Appeal in response to the Office Action Made Final dated May 26, 2004 for two (2) month(s) from August 26, 2004 to October 26, 2004.
- ☐ A [ ] month extension of time to respond to the Office Action Made Final dated [ ] was filed on [ ] with payment of a \$[ ] fee.
- ☐ Applicant hereby petitions for an additional [ ] month extension of time to respond to the Office Action Made Final.
- ☐ A Request for Oral Hearing before the Board of Patent Appeals and Interferences is being filed concurrently herewith.

09/316,699

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## 4. Fees are submitted for the following:

☒ [ X ] Extension of Time for two month(s) \$ 430

☐ [ ] Additional Extension of Time:

Fee for Extension ([ ] mo.) \$

Less fee paid ([ ] mo.) \$

Balance of fee due \$ 0

☒ [ X ] Notice of Appeal \$ 340

☐ [ ] Other \$

TOTAL \$ 770


## 5. The method of payment for the total fees is as follows:

- ☐ [ ] A check in the amount of \$[ ] is enclosed.
- ☒ [ X ] Please charge Deposit Account No. 08-0380 in the amount of \$770.00.

Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH, REYNOLDS, P.C.

By:   
James M. Smith  
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Date: 10/26/04